

QUESTIONS BY THE COURT OF P.W. NO. 7 - J.R. WINYARD (cont.):

Q. You said you saw a man - a Japanese - there whom you took to be an officer. What made you think he was an officer?

A. Firstly, he wore a better quality uniform; secondly, his insignia instead of having the usual red, was something whitish sort of insignia which I thought would be an officer of some kind, and he looked more the type that was an officer and not other rank.

Q. Did you notice what arms he was carrying?

A. No, Sir, I knew that he was not carrying a rifle. He did not have a rifle, and I did not notice what he was carrying.

Q. You told the Court that you were very sure that this took place at about 4 o'clock in the afternoon, and not about 6 o'clock as was suggested by the Counsel for Defence. Can you tell the Court why you are so certain it was the earlier time and not the later?

A. Well, Sir, usually it gets dark rather fast after 6 and it seemed to me longer than an hour before it was dark, so I should imagine the time was more 4 than 6.

The President reminded the Witness that he might be recalled and show the Court the places (described by him) at Wongneichong.

Rec No questions by Defence or Prosecution. Rec

P.W. NO. 8 - FRANCIS R. ZIMMERN.

After he had taken an oath, the Witness was examined by the Prosecutor as follows:

EXAMINATION BY PROSECUTOR:

Q. Will you tell the Court your full name?

A. Francis R. Zimmern.

Q. I understand you are a stockbroker and you live at No.2 Conduit Road, Hongkong. Is that correct?

A. Yes.

Q. You are of British nationality?

A. Yes.

Q. Will you tell the Court what you were doing in December, 1941?

A. I was a stockbroker in 1941.

Q. In the month of December, 1941, what were you doing?

A. In December I was a volunteer in the Hongkong Defence Corps.

Q. Will you tell the Court what happened at that time?

A. At the time when the war broke out or after?

Q. I want you to tell the Court what you were doing in that month. You say you were a volunteer. Where were you stationed?

A. I was stationed down at North Point by the Taikoo Dockyard.

Q. That would be when, Mr Zimmern?

A. From December 9 until December 15.

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EXAMINATION OF P.W. NO. 8 - F.R. ZIMMERN (cont.):

Q. What happened after December 15?

A. On December 15, we were transferred to Jardine's Lookout.

Q. How long were you there?

A. We were there until the 18th. About midnight on 18th or early morning 19th we were attacked by the Japanese attacking forces.

Q. Where was your position when you were first attacked?

A. I have forgotten the pill box number, but it was ^{at} Jardine's Lookout. _{rec}

Q. Can you tell the Court briefly where Jardine's Lookout is, Mr Zimmern?

A. Jardine's Lookout is along Sir Cecil's Ride, which is a path running from Stubbs Road down to North Point. It is in the middle between Stubbs Road, running down to North Point and just above that is the Tai Hang Road.

Q. You say ^{Sw rec} Cecil's Ride runs from Stubbs Road. Just where is that?

A. Stubbs Road, it branches off Wongneichong Gap.

Q. I want you to look at these photographs (Exh. F) and tell the Court if you can identify any of them at all?

A. I recognise group photo No.1. It overlooks Wongneichong Gap and the reservoir. No.2 would be the same, overlooking Wongneichong Gap. I think 3 and 4 show the Jardine's Lookout, taken from Stubbs Road, showing Cecil's Ride.

Q. You indicated what these two are. Does Stubbs Road show on either of these two pictures, Nos.1 and 2?

A. This would be Stubbs Road here, passing through the Gap here (Witness indicates road on the right hand side of photos, about half way up).

Q. You say ^{Sw rec} Cecil's Ride runs along the area indicated by pictures 3 and 4?

A. Yes.

Q. And Jardine's Lookout. Can you say where that is in relation to either of 1, 2, 3 or 4?

A. Jardine's Lookout would be over this side, which is not indicated in the picture.

Q. You were ^{at rec} in Jardine's Lookout and attacked there first, you say?

A. Yes.

Q. Will you just go on from there?

A. We heard spasmodic rifle firing and we stood to, on the night of the 18th, near midnight. I contacted the next position which was nearer ~~Palm~~ Taikoo. Our commanding officer, Capt Homes, was in charge of the pill box and he sent a messenger over telling us that he also heard firing, and told us to stand to. A few minutes after midnight, on the morning of 19th, the position next to ours was attacked. Then 10 to 15 minutes later the position was overrun. Private MacKechnie then came over to our position. We then fell back on to Stanley Gap, our headquarters.

Q. Do any of these pictures indicate where that is, Mr Zimmern?

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EXAMINATION OF P.W. NO. 8 - F.R. ZIMMERN (cont.):

A. Yes, it shows the road running up to Stanley Gap, branching off Stubbs Road, but it does not show Stanley Gap. (Photo No.1 indicated).

Q. What is that?

A. That is the reservoir.

Q. Will you look at these other photographs?

A. Photo No.7 would be our HQ. Photo No.6 shows the road running up to Stanley Gap.

Q. You fell back there, and what happened then?

A. We reported to HQ that we had been attacked. By then various telephone lines running between pill boxes to HQ had been cut.

Q. Just tell us what happened in relation to the Japanese, Mr Zimmern?

A. We were attacked from all sides. We surrendered at about 3 o'clock in the afternoon of the 19th. We were then lined up in front of the road and we were then told to kneel. We were completely stripped of all articles. We lined up in rows of approximately five. After we knelt some of the Japanese came along and started facing us.

Q. Who were these Japanese?

A. They were soldiers of the attacking forces. They pushed ~~Wann~~ a young Canadian, aged about 16, who was next to me, and then bayoneted him. At the extreme left was L/Cpl Lim of the Volunteers. They pushed him over and three Japanese soldiers then tramped on his head till he died.

Q. Who was that, Mr Zimmern?

A. L/Cpl Lim. Private Gosling and MacKechnie were also bayoneted to death. We were then tied up in twos and led into what was then a shed used as a sort of dining room.

Q. Just to go back a bit, Mr Zimmern. At the time of the surrender can you tell the Court in what direction the troops to whom you surrendered came?

A. They came from North Point and also from a hill over Jardine's Lookout. Other Canadians were also rounded up near Jardine's Lookout and they were also taken into our shed. We were, I think, a little over 100 crowded into a very small shed. That evening we were shelled by our own troops and one shell landed in the midst of our shed. The next day all those who could walk were taken down to North Point, the others remained behind. On the 21st we were taken over to Kowloon and stayed the night at the Maryknoll Sisters.

Q. Now, Mr Zimmern, you said that Picture No.7 shows your HQ. Can you indicate to the Court where that hut was?

A. That hut is not in the photo. It is a little way down by the road. The road is not indicated in this picture.

CROSS-EXAMINATION BY DEFENCE COUNSEL:

Q. You said that you were guarding Jardine's Lookout position. How many men were in that vicinity?

A. We were 19 men in one, five in one and five in another. In all there were 29 from our own unit.

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CROSS-EXAMINATION OF P.W. NO. 8 - F.R. ZIMMERN (cont.):

Q. You mean to say that the total strength of the troops guarding Jardine's Lookout was only 29?

A. No, there were also two other pill boxes to our right and there were also units to our left.

Q. Do you know whether ^{the} British troops who were guarding Jardine's Lookout gave strong resistance to the attacking Japanese?

A. There was strong resistance, Yes.

Q. Were not some Indian troops in that vicinity?

A. No.

Q. I wish to get the time of the attack correct. You said it was midnight of the 18th or early morning of the 19th. Is that correct?

A. Yes.

Q. Also you testified that you heard some shooting and some noises during the night of the 18th. Is that correct?

A. Yes.

Q. When you first began to hear the shooting, can you remember the time?

A. I was on patrol over to the next position, it was just before midnight of the 18th.

Q. You said your HQ was situated as shown in Picture No. 7 (Exh. F)?

A. That was our company HQ, our platoon HQ was in Jardine's Lookout.

Q. The Company HQ, which hut was that?

A. It is not here, because it is rather intricate. They never found our HQ because people inside the HQ escaped two days later, after the position had been taken.

Q. You said after you surrendered on the 19th, you were taken to a small hut and that on the evening of the 19th you were hit by shell by your own troops. Can you remember exactly the time when the shell hit the hut?

A. No, no idea of the time.

Q. Was it in the late evening, just after sundown?

A. Yes, it was dark outside.

Q. Then it was before midnight?

A. I would imagine so, Yes.

Q. Did you only receive one hit by this shell?

A. There were several that were very close, but there was one direct hit.

Q. Can you remember how many persons were injured or wounded?

A. I would say at least 30. I would even say more.

Q. Do you mean by that to include those that were killed and those wounded?

A. Very seriously wounded.

Q. Killed and wounded?

A. Yes.

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CROSS-EXAMINATION OF P.W. NO. 8 - F.R. ZIMMERN (cont.):

Q. The Japanese soldiers that assaulted the soldiers that surrendered, did they have any special markings or not, do you remember?

A. They ~~always~~ always had a white tag here (left chest). Besides the camouflage I could not recognise any special markings.

Q. Can you remember what the soldiers wore on their heads?

A. Helmets, generally camouflaged with branches and brushes. *RCU*

Re-examination declined.

QUESTIONS BY THE COURT:

Q. These people whom you saw assaulted by the Japanese - had any of them been in your party?

A. MacKechnie came over and we were together, Yes.

Q. You told the Court that certain things happened to MacKechnie, Young and Gosling. What did you actually see yourself. Where were these people and what did you see?

A. When we were lined up on the road, I saw them bayoneted.

Q. Where were they?

A. Lim was on my left, Gosling behind, MacKechnie by my side and a young Canadian also to my left. He was bayoneted but he never died.

Q. You said they were ~~by~~ bayoneted, but how did you know. What exactly did you see?

A. They were ~~always~~ always pushed by the Japanese who followed that up with a thrust on their back.

Q. What attracted your attention to this. How did you come to see it?

A. We were generally watching from the corners of our eyes and I saw especially when they yelled. Lim especially yelled and I saw the Japanese treading on his head and at least three of them jumped on his head and it was just a mass of blood and it was an awful gruesome sight.

Q. You told the Court that the Company HQ was never found and some people who were there for two days eventually escaped. How did you know that?

A. We were told that in camp. Major Stewart was one of these and Sgt-Major White was another.

Q. Just before this bayoneting you saw, can you tell the Court if any of these men had done or said anything to cause it?

A. No.

The President informed the Witness that it might be necessary for him to go with the Court to show the place where the bayoneting took place.

No questions by Defense or Prosecution RCU

Defence Counsel: I have something to ask the President. I wish to borrow the original of the report made by Maj-Gen. Shoji (Exh. Z). The purpose is that I wish to check the original with the translation because it might be possible for Sgt Ito who translated the document to make some

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Defence Counsel (cont.): mistakes.

Exhibit Z handed to Defence Counsel as requested.

ADJOURNMENT.

At 1635 hours the Court adjourned until 1000 hours on
Wednesday, March 12, 1947.

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P.W. NO. 6 - E.C. FINCHER (Recalled)(Cont.):

Defence Counsel: From what direction did the mortar fire come?

Witness: I think it must have come from that direction, because we had a direct hit in the kitchen. It came from the direction of Tytam and it was not a great deal.

Defence Counsel: Only one shell?

Witness: One that had a direct hit.

Defence Counsel: Where did the shell hit this hut here?

Witness: In the kitchen, this side of the hut here.

(Indicates storehouse).

President: It did not burst inside the hut?

Witness: No.

Witness: I thought he (Defence Counsel) meant mortar that was fired against us here. That was only one that hit the hut.

President: Whereabouts is that?

Witness: Practically in the middle.

Defence Counsel: Where did it come from?

Witness: From Tytam. That was the one that struck us in the storehouse. I don't know about that other one. It burst on the roof.

Defence Counsel: Did it come straight or slanting?

Witness: I cannot say now. It came through the roof.

No questions by Prosecutor.

P.W. NO. 8 - F.R. ZIMMERN (Recalled).

Witness is reminded that he is still on his former oath.

President: Can you tell the Court where was this No.3 Company HQ, the quartermaster store?

Witness: The quartermaster store is here.

Witness indicates the building on the north side of the road directly across from 7.W.6. R.C.

President: Can you show the Court where your position was - your defence position?

Witness: I was over at Jardine's Lookout. We only fell back and went to the store here.

President: You came back here?

Witness: Yes, I was with Lt Anderson who was No.2 in command here. I never saw Major Stewart.

President: You were in the store itself?

Witness: We were walking up and down our position up there until they attacked.

President: When the time came for you to surrender where were you?

Witness: In the store itself.

President: Can you show the Court where you were taken when you surrendered?

Witness: We were lined up just in front here across the road in rows.

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P.W. ND. 8 - F.R. ZIMMERN (Recalled)(Cont.):

President: How many lines, do you remember?

Witness: I don't remember, but I was right in front in the first row.

President: The Japanese who you say ill-treated you, from where did they come?

Witness: When we saw them they were already here, all around this area here, standing just in front of us.

President: When you were fired on, can you say which direction?

Witness: Generally from that direction because we could see bullets all over and we were getting mortar.

President: From Tytam?

Witness: Yes, firing was also coming from Jardine's Lookout.

President: Is there a point here where we can see Jardine's Lookout?

Witness: Yes.

The Court estimates that the place where witness was lined up is about 12-15 yards from the QM store.

President: Were there any Japanese on that road?

Witness: We could not see them.

President: Were small arms fire dropping here or were they going overhead?

Witness: Going over. I got one right through my arm which was from mortar.

President: Where were you when you were hit?

Witness: Just by the door.

Can you show the Court where Jardine's Lookout is? RCL

Witness: That would be Jardine's Lookout, the far away hill. They were firing from that direction.

President: We are looking ^{RCL} from nearly due north.

Witness indicates Jardine's Lookout which the Court can see is a high ridge due north of Stanley Gap Road and between 1,000 and 1,200 yards away).

President: After you were lined up where were you taken?

Witness: Taken up to the hut, which used to be a matshed with benches there for meals. I never ate there.

Witness indicates site where the hut used to be on. *The same site as already indicated by P.W. 6. RCL*

President: When you were taken away, which direction did you go?

Witness: We were marched down Stanley Gap Road, through the reservoir and down to North Point.

President: When you decided to surrender and when you came out here what did you do exactly?

Witness: First of all I was in the store and we heard voices - and they were Japanese voices. After a time the Japanese went inside.

President: You were still inside the store?

Witness: Yes.

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P.W. NO. 8 - F.R. ZIMMERN (Recalled)(Cont.):

Witness (cont.): They were armed with rifles. They had tin helmets and they were fully camouflaged, so they must have been combatant troops.

President: What happened then?

Witness: We were then told to come out and line up.

President: How long after you lined up was it that the incident of ill-treatment occur?

Witness: A matter of about 10-15 minutes, even shorter.

President: Did you see any troops coming from anywhere else?

Witness: No, because we were facing only one direction. We did not turn about.

President: The only troops were the troops who came from the Tytam direction?

Witness: Yes.

President: Were they the same who took you back?

Witness: Yes.

President: Why are you so sure?

Witness: Because they were similarly attired, they wore the same uniform, same dress, same rifle and same tin helmet, and same camouflage.

President: Besides rifles, did you notice any other weapons or equipment?

Witness: They had hand grenades at the back here.

Defence Counsel: When you were lined up cross-ways here, what date and what time was it?

Witness: It is difficult to estimate the time. It was about between 3 and 3.30 in the afternoon.

Defence Counsel: The date?

Witness: 19th.

Defence Counsel: What sort of rifles did these soldiers have?

Witness: Small .202 repeaters, they were smaller calibre than our own rifles.

Prosecutor: Mr Zimmern, did you not say you saw troops coming from Jardine's Lookout?

Witness: When we were attacked they were coming from that direction, because our troops were firing at them and they were firing at us, and obviously they were coming from that direction.

Prosecutor: Were they the troops that came down from that direction who took you prisoner?

Witness: We could not say, because we were inside the hut when they were down here. Even if they came down they might even be coming down this way.

Prosecutor: What is the foundation for your belief

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P.W. NO. 8 - F.R. ZIMMERN (Recalled)(Cont.):

Prosecutor(cont.): that the troops that took you prisoner came from Tytam?

Witness: I ~~did~~ did not say they were troops that came from Tytam. When we were lined up they were all scattered around here.

Prosecutor: While you were lined up with these troops, did any other troops arrive at all?

Witness: After the incident here we were then tied up and brought there with Canadian and other troops who were brought in.....

Prosecutor: I mean Japanese troops other than the ones who took you prisoner?

Witness: No.

President: Can you show us now where your pill box was?
Witness: It is way up there.

President: Could we see it ^{from R.C.} on a high level?

Witness: It is along Sir Cecil's Ride, about two miles from here. Our position was in a dell, it is a cross-roads.

President: What time was it that you last saw the Japanese soldiers come from Jardine's Lookout?

Witness: I would say between....I really could not say.

President: Was it in the early morning, noon, or when?
Witness: It would be nearer noon, I think.

Witness indicates position - the intersection of path, No.593973 on map.

Defence Counsel: Was there any battle near your first position?
Witness: Yes.

Defence Counsel: How long did this fighting last?
Witness: About 10-15 minutes.

P.W. NO. 9 - G.J. WHITE (Recalled).

Witness is reminded he is still bound by his former oath.

President: Do you know what this place is?

Witness: This is known as the mess hut.
Witness indicates concrete floor, directly above by P.W. 6 and P.W. 8. R.C.

President: Have you been here before?

Witness: Yes, when I was taken prisoner I was brought here.

President: About what time was it?

Witness: It would be roughly about sixish.

President: Can you tell where is the building known as the quartermaster store?

Witness: It is further down the road under this.

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NO.7 WAR CRIMES COURT.

Held at Jardine Matheson's East Point Godown, HONGKONG, on
TUESDAY, January 20, 1948.

2ND DAY'S Proceedings in the Trial of:
Lt-Gen. Ito Takeo, of the Imperial
Japanese Army.

At 1005 hours ~~on~~ on Tuesday, January 20, 1948, the
Court re-assembles. Present: The same members as at
adjournment on Monday, January 19, 1948.

P.W. NO. ⁴ - F. R. ZIMMERN.

The witness is sworn.

EXAMINATION OF WITNESS:

Prosecutor: What is your name?

Witness: Francis Richard Zimmern.

Q. Age?

A. 36 years of age.

Q. Present occupation?

A. Stockbroker.

Q. Present Address?

A. 2, Conduit Road, Hongkong.

Q. Where were you in December, 1941?

A. I was in Hongkong.

Q. What were you doing in Hongkong?

A. I was still then in the sharebrokers business.

Q. What were you doing at the outbreak of the Pacific war?

A. As a member of the Volunteers, No.3 Company, machine guns.

Q. For the record, which volunteers do you mean?

A. Hongkong Volunteers.

Q. What date were you mobilised?

A. I was mobilised on December 8.

Q. Where did you go when you were mobilised?

A. First of all down to North Point by Taikoo Docks.

Q. Where did you go after that?

A. Jardine's Lookout.

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EXAMINATION OF P.W. NO. 8 - F.R. ZIMMERN (cont.):

Q. Did you go with anybody else or just by yourself?

A. I was head of a platoon, I went with my platoon.

Q. What was your rank at the time?

A. Lance-corporal.

Q. Who was your platoon commander?

A. Capt. Holmes.

Q. How many men were there in that platoon?

A. We were then 12 as far as I can recollect.

Q. Remember any of the names of the people in that platoon besides Capt. Holmes?

A. Yes. I had T. Madar, Lock and Hung.

Q. All right. What happened after you got to Jardine's Lookout?

A. On the night of the 18th we were attacked by the Japanese in overwhelming numbers. We suffered casualties and retired back to Stanley Gap which was then the company's HQ.

Q. Where did these Japanese come from ~~in~~ that overwhelmed you at Jardine's Lookout?

A. From the direction of North Point.

Q. Who went with you back to ^{the} Stanley Gap position?

A. Private Itensen, Madar, Private Cheung who gave evidence yesterday, and Private McKechnie.

Q. What happened when you got to the Stanley Gap position?

A. We were there for some time and then the Japanese came down over Jardine's Lookout and down into Stanley Gap. A battle took place which lasted for some hours. On the morning of the 19th everything was more or less over. The Japanese came into Stanley Gap in the afternoon of the 19th. They had overtaken the position.

Q. Had you suffered any casualties as a result of this battle?

A. Yes.

Q. How many?

A. I could not tell the exact number.

Q. Then what happened?

A. We were in the Quartermaster's hut when the Japanese came into Stanley Gap and we surrendered.

Q. In what way did you surrender?

A. We were about 20 of us. They came into the hut and then told us to line up on the road outside.

Q. Who told you to line up?

A. The Japanese.

Q. In English or what?

A. No. We had amongst us a man who was finally killed, he spoke Japanese and he more or less told us what to do.

Q. All right. What happened next?

A. We were lined up in three rows outside the hut and then the Japanese came along and they started bayoneting. The Japanese told us that we had inflicted heavy casualties on them and that we had to repay. This Japanese spoke in English

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EXAMINATION OF P.W. NO. ■ - F.R. ZIMMERN (cont.):

A(cont.): which was rather poorly, but he made himself understood.

Q. What ~~was~~ was he, do you know, his rank?

A. I could not tell the rank.

Q. And then what happened?

A. After a while we were told to strip ourselves of everything we had. We just threw everything into a pool - watches and whatever we had in our possession, even our great coats. And then suddenly they started getting angry for no reason and started bayoneting several people and then trod the people to death.

Q. How many of you were lined up there?

A. We were about 20 as far as I remember. I don't exactly recollect the number, but about 20.

Q. How many Japanese were there?

A. In tremendous numbers.

Q. Will you explain in more detail what you mean by the Japanese bayoneting you?

A. They had about 10 coming round, slapping people, and all of a sudden pushed one man forward and put a bayonet right through him. They did that to McKechnie, Gosling, a Canadian who was next to me - I cannot recollect the name - and on the extreme left was a man called Lim. They threw him over, trod on his head until they squashed his head absolutely flat.

Q. Did you see that happening with your own eyes?

A. Yes.

Q. How long did Gosling and McKechnie remain there?

A. They were left on the road when we were taken into the hut. Next day they were still there, as far as I can remember.

Q. Were they dead or alive?

A. Dead.

Q. What about Lim?

A. Lim was dead.

Q. Was anybody else bayoneted besides those people you have mentioned by name?

A. I don't remember.

Q. What happened next?

A. We were led into a shed which was then more or less our company's dining room and we spent the night there. Before this, numbers of prisoners taken from Jardine's Lookout also were taken into Stanley Gap and we were all put into the dining room.

Q. What sort of place was this dining room?

A. It was a very small hut with a few benches and long seats.

Q. What was it made of?

A. It was just wood and straw.

Q. What happened after that?

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EXAMINATION OF P.W. NO. 3 - F.R. ZIMMERN (cont.):

A. We were about 150 by then and we had absolutely no place in which to lie down. We were more or less squashed against each other. By then our position had been taken by the Japanese and our own troops were firing on Stanley Gap. We suffered a direct hit, as a result about 30 were killed and many wounded.

Q. How do you know it was your own people firing and not the Japanese?

A. We were told later that it was our own gunners.

Q. Yes, then, what happened after that?

A. Next morning we were tied together, probably about nine of us tied together with a rope and we were led down to North Point.

Q. How many about were led away?

A. We were then probably in the neighbourhood of about 100 I think. 30 had been killed and about 20 badly injured. They remained behind and that was the last we heard of them.

Q. You remember the names of anybody who accompanied you on that march to North Point?

A. Yes, Lt Field, QMS Fincher, Sgt White, they were from our own company, and there were some Canadians, I don't remember if there were very many more.

Q. The Canadians, you remember how many about, who....

A. There were quite a few Canadians killed when we received the direct hit. There were two brothers, I think, Lt Stewart, I don't remember their names very well, rather they were badly injured and they could not leave and remained behind.

Q. You remember the unit the Canadians belonged to?

A. I think they were the Winnipeg Grenadiers.

Q. Which route did you take to North Point from Stanley Gap?

A. Along Stanley Gap down a reservoir and finally landed up opposite the Taikoo Sugar Refinery.

Q. Which reservoir are you talking about?

A. The reservoir - that would be the Tytam - I don't know the exact name.

Q. Were you dressed in uniform or not when you surrendered?

A. In uniform.

Q. What sort of uniform?

A. We had on just khaki. We were armed with rifles. That was about all. We had our great coats.

Q. How were the Japanese armed?

A. They were in khaki and heavily camouflaged.

Q. How do you mean by "heavily camouflaged?"

A. With a lot of straw and greens. They had nettings all round them and they put a lot of greens down their necks.

Q. Could you show the Court with the aid of a map the places you have mentioned to us?

A. Yes.

Prosecutor: May the witness have leave to approach the blackboard, Sir.

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EXAMINATION OF P.W. NO. ■ - F.R. ZIMMERN (cont.):

President: Yes.

Witness approaches the blackboard.

Q. Firstly, could you tell us where Jardine's Lookout is?

A. First of all we were stationed there in the Dockyard. We went up to Jardine's Lookout here (indicates). We retired back to Stanley Gap here (indicates) and then we were taken to North Point.

Q. Which route did you take to North Point?

A. This would be the reservoir....

Q. How many reservoirs did you pass on the way to North Point?

A. Two.

Q. You remember definitely whether you went east, north, south or west from Stanley Gap?

A. We followed the road right down here ■ (indicates) and across here (indicates). We took this road here (indicates), passed this reservoir down here, down here and here (indicates).

Prosecutor: Thank you.

Witness returns to witness box.

Q. You say you were tied to others in groups of nine. Was everybody tied in that manner?

A. Everybody was tied, some even with wires.

Q. In what manner were they tied with wires?

A. I think we were tied with our hands to our backs and then led on. We were tied in batches of nine, one man to his next, and then to the next.

Prosecutor: No further questions, Sir.

CROSS-EXAMINATION OF WITNESS:

Defence Counsel: What did you do with the arms you had when you surrendered?

Witness: We had put them in the company stores, we just left them behind as we came out.

Q. How far apart was the distance between the company's storehouse where you stored your arms and the place where you were detained?

A. Within five yards. To the place we were....? It is just beside the road.

Q. Between the small shed where you were first taken to and that storehouse?

A. The shed was just on top of the storehouse, it overlooked the storehouse. It meant going round by the road, but actually it was just above.

Q. What was the distance?

A. Matter of about five yards, but if you had to go from the store to the dining room it meant going about 30 or 40 yards. Like this, on top here you can't climb up, you got to go round like that.

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CROSS-EXAMINATION OF P.W. NO. ■ - F.R. ZIMMERN (cont.):

Q. The place was at Stanley Gap?
A. At Stanley Gap.

Q. I think you said you saw Lim being killed. How was he killed?

A. He was trod on. He was to my left, I could see him from the corner of my eye. Several Japanese jumped on his head when he fell down. They jumped and trod on his head.

Q. How did he fall?

A. They pushed him over.

Q. When he was pushed down...?

A. We were all kneeling then. We were taken on to the road and made to kneel and then when you just give a man a push from behind naturally he would fall over. We were all in a kneeling position.

Q. Did you say you were with Cheung Siu-ling at that time?

A. Yes.

Q. Was he close by you?

A. He was behind me.

Q. Cheung Siu-ling states that Lim was stabbed to death?

A. He might have been, too, but he was also trod on. I did not see the bayoneting but I did see many soldiers, two or three, jump on his head. He might have been stabbed, I don't know. I saw him trod on. When I left he was in the front row and his head was absolutely flat as a pancake. There was plenty of blood oozing from his head. He was trod on so hard that the head did not resemble a head any more.

Q. You did not see Lim actually dying?

A. Well, when we left he was incapable of moving. He looked very dead to me anyway.

Q. Does that mean you only saw Lim in an immovable state?

A. Naturally we did not go up to Lim. We were just a few yards away. We had only to surmise. We cannot say definitely. When we came out the next day his body was still lying there.

Q. What kind of soldiers were the Japanese at the time when you gave up?

A. They were infantry.

Q. Only infantry?

A. As far as I could see, Yes.

Q. How were the legs of the Japanese...

A. Some had brown shoes and some had those Japanese shoes, you know, these Formosan things with black and rubber soles. There were some brown shoes and some black rubber shoes with the toe out.

Q. Did you actually see the things the Japanese used when they hit you. What sort of weapons did they use when they struck you men?

A. Some had rifles, they were very small calibre rifles and repeaters. They all had small rifles, I think they were .202 rifles.

Defence Counsel: No further questions, Sir.

Re-examination declined.

No Questions by the Court.

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Prosecutor(cont.): visited. First, Wongneichong Valley, Race Course, Jockey Club, these two buildings, 573 974. The point we have just visited, a point south of the Wongneichong Valley 582 968. Last point mentioned is what witnesses Chan Wei-fong and Lee Yeuk-lan have described as Blue Pool Road.

President: These are references referred to in map Exhibit "BB" (Sheets 19 and 23).

Court next proceeds to Stanley Gap via Stubbs Road.

P.W. No. 4 - F. R. ZIMMERN.
(Recalled By Court).

President reminds Witness he is still bound by his former oath.

QUESTIONS BY COURT:

President: What is this place?

Witness: This is Stanley Gap and this is the quartermaster's hut where we were surrendered.

Q. Where was the spot where you saw the bayoneting taking place?

A. We were lined up in three rows just along here facing that direction.

Q. That is facing east you mean?

A. Yes.

Q. Where is the mess hall that you were taken into after the bayoneting?

A. It is just on top of the quartermaster's hut. It was a matshed with cement concrete flooring. It is just above here.

Q. That is the place that received a direct hit?

A. Yes.

Q. Which is the spot that you saw the bodies of McKechnie, Gosling and Lim after you had come out from the mess hall?

A. Just along here.

Q. Which route did you take when you were marched to North Point?

A. Along this route.

Q. It is along the route to the east?

A. Yes.

Q. From this position, where is Jardine's Lookout?

A. In that direction, due north.

Q. From which direction did you come when you first came to the quartermaster's hut?

A. We came along Sir Cecil's Ride which meets the road down here to the west.

Q. The spot where we turned off from the main road, do you know what they call that place?

A. Wongneichong Gap.

Q. When you were being marched back to this place to North Point, did you see any bodies on that route?

A. Yes, quite a number of bodies lying along the road. I

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QUESTIONS BY COURT OF P.W. NO. 4 - F.R. ZIMMERN (Recalled)(cont.):

A(cont.): also saw a funeral pyre, bodies were being cremated.

Q. Any indication of the nationality of the bodies?

A. Their faces had been blackened at the time we saw them. They had on great coats, British Army issue.

Q. How many did you see?

A. I would say about 20 or even more.

Q. Did you find them alongside of the road, or....

A. Alongside the road. There were four together in one lot, I remember.

Q. Will you take the Court to the mess hut which received a direct hit?

A. Yes.

Witness leads Court to a point immediately above the quartermaster's hut.

A. This was the hut, a temporary matshed with cement floor. There were two rows of tables stretched across, with benches so that we could sit. We were over 150 placed in here. We did not have any room to move about. Some had to squat, some had to stand, we could never sit at the same time.

Q. What were the walls and roof made of?

A. Just straw and matting, might have been wood.

For the record: The Court viewed the mess hall and its approximate measurements are 36 feet by 15 feet.

(The structure had since been destroyed, only the cement flooring remains intact).

CROSS-EXAMINATION OF WITNESS:

Defence Counsel: When you surrendered from which direction did the Japanese come?

Witness: Some came from that direction and some over Jardine's Lookout which is just there overlooking the harbor. We were attacked from both directions.

Q. What was the approximate strength, the number of Japanese soldiers?

A. We could not ^{see} It was dark when we were attacked.

Prosecutor: You mean the Japanese came from the east along Stanley Gap Road and from north in Jardine's Lookout?

Witness: They attacked from two directions. The force that came from Jardine's Lookout was the one that wiped us out in Jardine's Lookout itself. They came over the hill.

Court next proceeds to the present Wongheichong Police Station on Blue Pool Road.

P.W. NO. 18 - COL. L.T. RIDE.
(Recalled By Court).

President reminds Witness he is still bound by his former oath.

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